

AO 245B (Rev. 06/05) Judgment in a Criminal Case

Sheet 1

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA

vs.

CYNTHIA MAE MULLINS

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: 3:07-cr-00059-HDM-VPC

USM NUMBER: 41260-048

THE DEFENDANT:Ramon Acosta, AFPD
DEFENDANT'S ATTORNEY pled guilty to Count Two of Indictment filed 7/11/07 pled nolo contendere to count(s) _____ which was accepted by the court. was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date</u>	<u>Offense Ended</u>	<u>Count</u>
42 U.S.C. §1383(a)(2)	Making Materially False Statements and Representations to the Social Security Administration	6/99 - 1/06		Two

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The defendant has been found not guilty on count(s) _____
 Count One is dismissed on the motion of the United States.

IT IS ORDERED that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

April 10, 2008

Date of Imposition of Judgment


Signature of JudgeHOWARD D. McKIBBEN, Senior U.S. District Judge
Name and Title of Judge4-15-08
Date

AO 245B (Rev 06/05) Judgment in a Criminal Case
Sheet 4 - ProbationDEFENDANT: CYNTHIA MAE MULLINS
CASE NUMBER: 3:07-cr-00059-HDM-VPCJudgment - Page 2**PROBATION**

The defendant is hereby sentenced to probation for a term of Sixty (60) Months.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. Revocation of supervision is mandatory for possession of illegal controlled substances. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court. Revocation is mandatory for refusal to comply.

OR

The defendant shall refrain from any unlawful use of a controlled substance and shall submit to one drug test within 15 days of the commencement of supervision and at least two periodic drug tests thereafter, not to exceed 104 drug tests annually. Revocation is mandatory for refusal to comply.

- The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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Sheet 3 - Supervised Release

DEFENDANT: CYNTHIA MAE MULLINS
CASE NUMBER: 3:07-cr-00059-HDM-VPCJudgment - Page 3**SPECIAL CONDITIONS OF SUPERVISION**

1. Home Confinement With Electronic Monitoring - The Defendant shall be confined to home confinement with electronic monitoring, for a period of six (6) months. The Defendant shall pay 100% of the costs of electronic monitoring.
 Further, USPO shall closely examine the Defendant's ability to pay cost of electronic monitoring and advise Court within thirty (30) days. If USPO determines the Defendant has the ability to pay, the previous order remains in effect and the Defendant shall pay 100% of the cost of electronic monitoring. However, if USPO determines the Defendant does not have the ability to pay both the ordered restitution and the cost of electronic monitoring, then thirty (30) days from 4/10/08, 100% of the cost of electronic monitoring shall be waived on behalf of the Defendant.
2. Warrantless Search - The Defendant shall submit to the search of her person, and any property, residence, or automobile under her control by the probation officer, or any other authorized person under the immediate and personal supervision of the probation officer without a search warrant to ensure compliance with all conditions of release.
3. Mental Health Treatment - The Defendant shall participate in and successfully complete a mental health treatment program, which may include testing, evaluation, medication management, out-patient counseling or residential placement, as approved and directed by the probation officer. Further, the Defendant shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation officer, based upon her ability to pay.
4. Substance Abuse Treatment - The Defendant shall participate in and successfully complete a substance abuse treatment and/or cognitive based life skills program, which will include drug/alcohol testing, out-patient counseling, or residential placement, as approved and directed by the probation officer. Further, the Defendant shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation officer, based upon her ability to pay.
5. Debt Obligation - The Defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, or negotiating or consummating any financial contracts, without the approval of the probation officer.
6. Access to Financial Information - The Defendant shall provide the probation officer access to any requested financial information, including personal income tax returns, authorization for release of credit information, and any other business financial information in which the Defendant has a control or interest.
7. Life Skills - The Defendant shall participate in and successfully complete a cognitive based life skills program, as approved and directed by the probation officer.

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Sheet 5 - Criminal Monetary Penalties

DEFENDANT: CYNTHIA MAE MULLINS
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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$100.00 Due and payable immediately.	None	\$43,511.00

- () On motion by the Government, IT IS ORDERED that the special assessment imposed by the Court is remitted.
- () The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- () The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss</u>	<u>Restitution Ordered</u>	<u>Priority of Percentage</u>
Clerk, U.S. District Court Attn: Financial Officer Case No. 333 Las Vegas Boulevard, South Las Vegas, NV 89101	\$ _____	\$ _____	_____
TOTALS	: \$ _____	\$ _____	_____

Restitution amount ordered pursuant to plea agreement: \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the: () fine () restitution.
the interest requirement for the: () fine () restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev 06/05) Judgment in a Criminal Case
Sheet 6 - Schedule of PaymentsDEFENDANT: CYNTHIA MAE MULLINS
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A Lump sum payment of \$100.00 due immediately, balance due _____
 { } not later than _____; or
 { } in accordance with () C, () D, or () E below; or
- B Payment to begin immediately (may be combined with () C, () D, or () E below; or
- C Payment in _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g. months or years), to _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties: Restitution is mandatory in the amount of \$43,511.00, with interest, payable at the rate of no less than 10% of gross income, subject, to an adjustment by the court based upon ability to pay. Restitution being paid currently by lowered amount of monthly payments to Defendant from Social Security Administration.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.